

PROB 12B
(7/93)

Report Date: May 31, 2013

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
MAY 31 2013
SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: Richard G. Kendall

Case Number: 2:09CR00138-002

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 6/3/2010

Type of Supervision: Supervised Release

Original Offense: Unlawful Possession and Sale of
Stolen Firearms, 18 U.S.C. § 922(j)

Date Supervision Commenced: May 24, 2013

Original Sentence: Prison - 38 Months
TSR - 36 Months

Date Supervision Expires: May 23, 2016

PETITIONING THE COURT

To modify the conditions of supervision by remitting the following:

- 14 You shall reside in a residential reentry center (RRC) for a period of up to 90 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

CAUSE

On June 3, 2010, the offender was sentenced to a term of 38 months in the Bureau of Prisons for his violation of 18 U.S.C. § 922(j) and § 924(a)(2) - Unlawful Possession and Sale of Stolen Firearms. On May 24, 2013, the offender was released from the custody of the Bureau of Prisons commencing a 3-year term of supervised release. As a special condition of supervised release, the offender was ordered to participate in a residential reentry center for a period of up to 90 days.

On November 20, 2012, while an inmate in the Bureau of Prisons, the offender was placed at the Port of Hope residential re-entry center in Coeur d'Alene, Idaho. The offender completed six months at the facility as an inmate prior to his release on supervision on May 24, 2013. It is the assessment of the Port of Hope staff that the offender has reached the maximum benefit of the program. While in the facility, the offender secured a viable release address. As he no longer appears to be in need of the residential re-entry center, it is respectfully recommended that the Court remit special condition number 14 requiring the offender's continued placement in the residential re-entry center.

Prob 12B

Re: Kendall, Richard G.

May 31, 2013

Page 2

I declare under penalty of perjury that the foregoing is true and correct.

Executed

on:

05/31/2013

s/Shane Moore

Shane Moore

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

5/31/13

Date

PROB-49
(3/89)

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 31 2013

SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision by remitting the following:

- 14 You shall reside in a residential reentry center (RRC) for a period of up to 90 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

Witness:


Robert Urbaniak
U.S. Probation Officer

Signed:


Richard G. Kendall
Probationer or Supervised Releasee

5/30/13
Date